

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44791 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -JOKIHAT District- ARRARIA

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1. Md. Ekram @ Ekram, S/o Late Shahid,
2. Razzaque S/o Ekram,
3. Sazzaque S/o Ekram,
4. Mintu S/o Ekram,
5. Rahmat S/o Ekram,
6. Bibi Chunni D/o Ekram,
7. Bibi Rusa @ Rusa D/o Ekram,
8. Bibi Najma @ Najama W/o Razzaque,
9. Bibi Pinki @ Pinki W/o Sazzaque,
10. Bibi Nujhat W/o Ekram, All R/o Vill.- Matiyari, P.S.- Jokihat, District-Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Jokihat P.S. Case No. 8/2018, instituted for the offences punishable under Sections 447, 448, 341, 323, 324, 325, 307, 379, 354(B) and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the informant and the petitioners are full brothers. There is case and counter case between the parties on account of land dispute.

In the written report, it is alleged that the petitioners



assaulted the informant and his family members causing injury to them.

Learned counsel for the petitioners has submitted that all the injuries found on the persons of the injured are simple in nature. The injury report of the informant's side is annexed as Annexure-2 Series. It has further been submitted that the informant of the present case along with ten named accused persons had also brutally assaulted the petitioners' side for which, on the statement of petitioner no. 1, Jokihat P.S. Case No. 14/2018 was registered, in which altogether five persons have sustained injuries out of which injury of petitioner no. 10 is grievous in nature. The injury report of the petitioners' side is annexed as Annexure- 4 Series.

Considering the facts that there is case and counter case between the parties and one of the injured of the petitioners' side i.e. Petitioner no. 10 has sustained grievous injury, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Jokihat P.S. Case No. 8/2018, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local



having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J.)

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